

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3413 OF 2013
IN
FIRST APPEAL NO.665 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Neel G. Helekar for the applicant
Mr.P.M.Palshikar for the respondent

CORAM : K.K.TATED, J.
DATED : 30/07/2015

PC:

1 Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.

2 This application is preferred by original applicant for stay of the operation and implementation of the notices issued by the respondent dated 5.2.1995 and 9.11.2012 as well as the impugned judgment and order dated 13.8.2012 by which the respondent called upon the applicant to deposit sum of Rs.79,407/- with 12% interest by way of contribution under the said Act.

3 The learned counsel for the applicant submits that at the time of filing appeal before the authority, they deposited 50% amount. He further submits that applicant is ready and willing to

deposit remaining amount with the respondent subject to outcome of the present First Appeal within six weeks from today. Statement is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

a) Respondent is restrained from taking any coercive action against the applicant pursuant to the notices dated 5.2.1995 and 9.11.2012 as well as judgment and order dated 13.8.2012 passed by Employees Insurance Court at Kolhapur in Application (ESI) No.8 of 1996 till the hearing and final disposal of the present First Appeal, if applicant deposits remaining amount with the respondent within 6 weeks from today subject to outcome of the present First Appeal.

b) In case applicant fails to deposit the amount within stipulated time as stated hereinabove, respondent is free to take appropriate action against the applicant according to law.

c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)